

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Kevin Thompson

SUMMONS IN A CIVIL ACTION

V.

Treadstone 77 Inc., Craig Lowell and Jerry
Hauser

CASE NUMBER:

08 CV 0318

JUDGE DANIELS

TO: (Name and address of Defendant)

Jerry Hauser
428 E. 85th Street
New York, New York 10028

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Brent E. Pelton, Esq.
Pelton Serpe LLP
111 Broadway, 9th Floor
New York, New York 10006
(212) 725-3600
pelton@peltonserpe.com

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

DATE

JAN 14 2008

(By) DEPUTY CLERK

Mano Quintero

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RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>February 6, 2008</u> at <u>11:00 am</u>	
NAME OF SERVER (PRINT) <u>DAWN NIOLA</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input type="checkbox"/> Served personally upon the defendant. Place where served:		
<u>C/O Noel Hauser & Assoc. Esqs.</u> <u>270 Madison Avenue 13th Flr.</u> <u>New York, NY 10016</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input checked="" type="checkbox"/> Other (specify): <u>served upon "Dave Smith", being authorized to accept legal papers. F, W, Red, 45, 5'8, 160</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>February 7, 2008</u> <u>[Signature]</u></p> <p style="margin-left: 150px;">Date</p> <p style="margin-left: 150px;">Signature of Server <u>DAWN NIOLA - 1259082</u></p> <p style="margin-left: 150px;">Address of Server <u>952 44th Street Brooklyn NY 11219</u></p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.